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www.stetnolaw.com**FACSIMILE COVER SHEET**

November 18, 2003

**TO:** Pre-Grant Publication Division

**COMPANY:** USPTO

**FROM:** Lowell Anderson

**OUR REF:** HENTE-080A **YOUR REF:** 10/620,638

**FAX NO.:** (703) 305-8568

**NO. OF PAGES INCLUDING THIS COVER SHEET 8****IF YOU DO NOT RECEIVE ALL OF THE PAGES OF THIS FAX OR IF THEY ARE ILLEGIBLE, PLEASE CALL LISA LI AT (949) 855-1246.****MESSAGE:**

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ATTORNEY DOCKET NO.: HENTE-080A

CERTIFICATE OF TRANSMISSION  
(§ 1.8)

I hereby certify that the papers as listed below are being Facsimile transmitted to the Patent and Trademark Office on the date shown below:

Date of Transmission: November 18, 2003

Signature: 

Name: Lisa Li

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

1. Transmittal
2. Fee Transmittal (in duplicate)
3. Petition to Express Abandonment to Avoid Publication under 37 CFR 1.138(c)
4. Declaration of Lowell Anderson

PTOSB/21 (08-03)

Approved for use through 06/30/2003. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10620.638
	Filing Date	07/16/2003
	First Named Inventor	Scott W. Randolf
	Art Unit	2868
	Examiner Name	Unknown
Total Number of Pages in This Submission	Attorney Docket Number	HENTE-000A

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input checked="" type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Remarks _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Declaration of Lowell Anderson
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name Signature Date	Lowell Anderson STETINA BRUNDA GARRED & BRUCKER <i>Lowell Anderson</i> 11/18/03	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name		
Signature		Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Approved for use through 04/30/2003. OMB 0161-0032  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 130.00

## Complete If Known

Application Number 10/620,638  
Filing Date 07/16/2003  
First Named Inventor Scott W. Randolph  
Examiner Name Unknown  
Art Unit 2856  
Attorney Docket No. HENTE-080A

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

19-4330

Stetina Brunda Garred & Brucker

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee Description	Fee Paid
1001	750	2001 375	Utility filing fee	0
1002	330	2002 165	Design filing fee	
1003	520	2003 260	Plant filing fee	
1004	750	2004 375	Reissue filing fee	
1005	160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)				0

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity	Small Entity	Fee Code	Fee Description	Fee Paid
1202	18	2202 9	Claims in excess of 20	
1201	84	2201 42	Independent claims in excess of 3	
1203	280	2203 140	Multiple dependent claim, if not paid	
1204	84	2204 42	** Reissue independent claims over original patent	
1205	18	2205 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$) 0

\*\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity, Small Entity

Fee Code	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051	130	2051 65	Surcharge - late filing fee or oath	
1052	50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053 130	Non-English specification	
1812	2,520	1812 2,520	For filing a request for ex parte reexamination	
1804	920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1261	110	2251 55	Extension for reply within first month	
1262	410	2252 205	Extension for reply within second month	
1253	930	2253 465	Extension for reply within third month	
1254	1,450	2254 725	Extension for reply within fourth month	
1266	1,970	2255 985	Extension for reply within fifth month	
1401	320	2401 160	Notice of Appeal	
1402	320	2402 160	Filing brief in support of an appeal	
1403	260	2403 130	Request for oral hearing	
1451	1,510	1451 1,510	Petition to institute a public use proceeding	
1452	110	2452 55	Petition to revive - unrevocable	
1463	1,300	2453 650	Petition to revive - unintentional	
1501	1,300	2501 650	Utility issue fee (or reissue)	
1502	470	2502 235	Design issue fee	
1503	630	2503 315	Plant issue fee	
1460	130	1460 130	Petitions to the Commissioner	
1807	50	1807 50	Processing fee under 37 CFR 1.17(g)	
1808	180	1808 180	Submission of Information Disclosure Sheet	
8021	40	8021 40	Recording each patent assignment per property (serial number of properties)	
1809	750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801 375	Request for Continued Examination (RCE)	
1802	900	1802 900	Request for expedited examination of a design application	
Other fee (specify) Express abandonment to Avoid Publication				
*Reduced by Basic Filing Fee Paid				
SUBTOTAL (3) (\$) 130.00				

## SUBMITTED BY

Name (Print/Type) Lowell Anderson

Signature

Registration No. (Attorney/Agent)

30,990

(Complete if applicable)

Telephone 949-855-1246

Date

11/18/03

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0851-0032  
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**FEE TRANSMITTAL  
for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 130.00

**Complete If Known**

Application Number 10/520,638  
 Filing Date 07/16/2003  
 First Named Inventor Scott W. Randolph  
 Examiner Name Unknown  
 Art Unit 2856  
 Attorney Docket No. HENTE-080A

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

19-4330

Stetina Brunda Garred &amp; Brucker

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☐ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
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SUBTOTAL (1) (\$) 0

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

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1203 280	2203 140	Multiple dependent claims, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0

\*\*or number previously paid, # greater. For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
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1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
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1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
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1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavailable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Sheet	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) Express abandonment to Avoid Publication			130.00
*Reduced by Basic Filing Fee Paid			
SUBTOTAL (3) (\$) 130.00			

**SUBMITTED BY**

Name (Print/Type) Lowell Anderson Registration No. 30,990 Telephone 949-855-1246  
 Signature *Lowell Anderson* Date 11/18/03

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PTO/SB/24A (06-03)

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# **PETITION FOR EXPRESS ABANDONMENT TO AVOID PUBLICATION UNDER 37 CFR 1.138(c)**

Fax the petition directly to the  
Pre-Grant Publication Division at (703) 305-8568  
Or Mail the petition to:  
Mail Stop PGPUB-ABD  
Commissioner for Patents  
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	10/620,638
Filing Date	07/16/2003
First Named Inventor	Scott W. Randolph
Art Unit	2856
Examiner Name	Unknown
Attorney Docket Number	HENTE-080A

## **Petition for Express Abandonment to Avoid Publication under 37 CFR 1.138(c)**

I hereby petition to expressly abandon the above-identified application to avoid publication.

**Petition Fee** – must be filed with petition to avoid delays in recognizing the petition.

- a. ☒ The Director is hereby authorized to charge the petition fee under 37 CFR 1.138(c) for ABANDONMENT  
Deposit Account No. 19-4330
- b. ☐ Check in the amount of \$ \_\_\_\_\_ is enclosed.
- c. ☐ Payment by credit card (Form PTO-2038 is enclosed).

NOV 20 2003

PG PUB DIVISION  
INITIALS BJD

**NOTE:** A paper requesting express abandonment of an application is not effective unless and until an appropriate USPTO official recognizes and acts on the paper. See the Manual of Patent Examining Procedure (MPEP), section 711.01. In addition, the paper will not stop publication of the application unless a petition under 37 CFR 1.138(c) is recognized and acted on by the Pre-Grant Publication Division in sufficient time to avoid publication (e.g., more than four (4) weeks prior to the projected publication date).

RECEIVED  
USPTO-PG PUBS

NOV 18 2003

I am the: ☐ applicant.

☐ assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

☒ attorney or agent of record. Registration Number 30,990

Lowell Anderson  
Signature

Lowell Anderson

Typed or printed name

11/15/03  
Date  
(949) 855-1246  
Telephone Number

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of \_\_\_\_\_ forms are submitted.

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11/21/2003 13:00:04  
01 FCI:160